

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on February 20, 2014

COMMISSIONERS PRESENT:

Audrey Zibelman, Chair  
Patricia L. Acampora  
Garry A. Brown  
Gregg C. Sayre  
Diane X. Burman

CASE 11-G-0565 - In the Matter of a Natural Gas Incident at 198  
Joseph Street, Horseheads, on January 26, 2011,  
in the Service Territory of New York State  
Electric & Gas Corporation.

ORDER REQUIRING RISK ASSESSMENTS AND REMEDIATION  
OF NEW YORK GAS FACILITIES

(Issued and Effective February 20, 2014)

BY THE COMMISSION:

INTRODUCTION

On January 26, 2011, the residence at 198 Joseph  
Street, Horseheads, New York, in the service territory of New  
York State Electric & Gas Corporation (NYSEG, Company), was  
destroyed by an explosion; one fatality and two injuries  
occurred.

Pursuant to Public Service Law §§65 and 66, this  
Commission has general supervision and investigatory authority  
over New York's gas utilities and is obligated to ensure that  
every gas corporation "shall furnish and provide service . . .  
and facilities as shall be safe and adequate." Therefore,  
Department of Public Service Gas Safety Staff (Gas Safety or  
Staff) was on site to investigate the explosion immediately. As  
a result of this investigation, Gas Safety concluded that the  
home's natural gas service line, which ran from the street to

the basement, had recently fractured. Gas released from the fractured service line migrated into the home's basement and caused the explosion.

As a result of the investigations conducted after the 198 Joseph Street explosion, described more fully below, public safety requires that NYSEG and other gas utilities take certain steps: (1) to make a special assessment of the extent to which the safety of their gas facilities have been compromised by third-party excavations; (2) to conduct more robust outreach and education programs so that customers and others are aware of the importance of reporting natural gas odors; and (3) to improve outreach and training provided to local governments and others so that third-party excavations do not negatively impact existing gas facilities.

#### PUBLIC NOTICE

In accordance with the State Administrative Procedure Act (SAPA) §202(6), the Commission takes this action as an emergency measure to ensure the immediate commencement of the risk assessments of gas distribution facilities as described in this order. As required by SAPA §202(6), the Department of Public Service will provide for publication of a Notice of Proposed Rulemaking in the State Register and an opportunity for public comment that will be considered after issuance of this Order. Comments will be due 45 days from the date of publication in the State Register and we will issue a subsequent order addressing those comments.

#### BACKGROUND

Our Gas Safety Staff joined others, including the Chemung County Sheriff, in the investigation immediately after the explosion. These investigators identified a fracture in the

gas service line for 198 Joseph Street approximately 35 feet from the foundation of the house at that address. The service line break point was found wrapped with a 32-inch length of black tape, suggesting that a field repair had been attempted at this location at some time in the past. Staff on site after the explosion identified a distinct downward sagging in the gas service line serving 198 Joseph Street. The location of this sagging corresponded with the location where the gas service was crossed underneath by water and sewer lines. Moreover, Gas Safety noted that the backfill surrounding the gas service to 198 Joseph Street included "... atypical backfill material."<sup>1</sup>

Immediately after the incident, the Chemung County District Attorney and its Sheriff's Department took possession of the fractured gas service line for testing as part of their criminal investigation. The service line from 198 Joseph Street and related infrastructure were sent to the FBI for metallurgical and other testing and remained under the control of the District Attorney and Sheriff until May 2013. After the FBI completed its tests, the District Attorney determined that insufficient evidence existed to bring criminal charges. Once the Sheriff's Office released its investigation file, Gas Safety Staff reviewed it and completed its own investigation.

Within a few months after the explosion, NYSEG had replaced the gas mains and services on Joseph Street. In the year following the incident, NYSEG replaced all of the mains and services within the Mayfair subdivision, where Joseph Street is located. In May 2012, NYSEG hired metallurgical consultant Lucius Pitkin, Inc. (LPI) to conduct a fitness for service assessment, after which NYSEG replaced 67 other gas services in the vicinity. At this point, LPI has assessed all of NYSEG's

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<sup>1</sup> Staff Interim Report at 10.

gas facilities in Horseheads and has recommended that NYSEG replace a total of approximately 800 gas facilities throughout Horseheads that cross or are near other underground utilities. Moreover, NYSEG has also begun to assess gas facilities elsewhere in its service territory and has discovered problems similar to those found in Horseheads.

In addition to replacing at-risk gas facilities right after the explosion, NYSEG began conducting bi-weekly mobile leakage surveys of its gas mains in the Town and Village of Horseheads.<sup>2</sup> It also conducted walking leakage surveys of all gas services in the Town and Village through March 2011. The bi-weekly mobile surveys resumed during the winter (frost season) of 2012-2013 and were again resumed in December 2013. These surveys will continue until August 2014 when it is expected that all remaining at-risk services in the Town and Village will be replaced.

The Commission is adopting this order pursuant to State Administrative Procedure Act (SAPA) on an emergency basis pursuant to Article II, Section 202(6a) of SAPA as it is necessary for the public health, safety or general welfare. Proceeding on an emergency basis will ensure that gas distribution companies will begin the risk assessments of gas facilities that possibly have been affected by third party excavations immediately.

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<sup>2</sup> Gas Safety rules, 16 NYCRR §255.723, require LDCs to conduct leakage surveys once every three years. Frozen ground, however, creates conditions that increase the likelihood of gas migration into homes; NYSEG, therefore has increased such surveys throughout Horseheads each winter since the 198 Joseph Street incident.

DISCUSSION

Gas service was installed in Horseheads in 1955. The only documentation Staff found of NYSEG returning to Joseph Street for any gas service repairs after that time was in 2003, when NYSEG was called to 192 Joseph Street after the Horseheads Water Board had uncovered the gas service and found its coating needed repair, which the Company addressed. NYSEG's records did not indicate that the steel pipe itself had been damaged.<sup>3</sup>

What Staff on site after the explosion did observe was that the "point of damage [to the service to 198 Joseph Street] was approximately 9-to-14 inches south of the sewer and water main marks [made at the request of investigators after the explosion], which appeared to merge at their crossing point of the gas service line."<sup>4</sup> Staff's investigation also determined that the backfill surrounding the gas service to 198 Joseph Street included "road material such as the blacktop [which] is atypical backfill material."<sup>5</sup>

In the years following the 1955 installation of gas facilities, and between approximately 1969 and 1980, water and sewer facilities were installed in Horseheads. Due to the need

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<sup>3</sup> Other Dig Safely New York records show that in April 2007 the Village of Horseheads made an excavation notice to repair a water leak or break and requested utilities to mark out at the dead end of Joseph Street. The dig site address was 198 Joseph Street (198 Joseph Street being the nearest actual address). In February 2010, the Village made another Dig Safely New York notice, again using 198 Joseph Street as the address marker, to repair a water leak, requesting a mark-out from 198 Joseph Street to the dead end. Staff found no records indicating that the excavator had made any contact or damaged NYSEG gas facilities during either of these excavation projects.

<sup>4</sup> Staff Interim Report at 13.

<sup>5</sup> Staff Interim Report at 10.

to avoid frost, both the water and sewer utilities were installed beneath the existing gas mains and services.

After NYSEG retained the metallurgical consultant, LPI, to perform a fitness-for-service (FFS) assessment of the 1 and 1-¼ inch medium pressure steel gas service lines throughout the Town and Village of Horseheads, LPI's analysis revealed a pattern of gas service line contact at many locations throughout the Village and Town of Horseheads. Therefore, LPI recommended a complete, town- and village-wide, replacement of all 1-inch and 1-1/4 inch steel gas services at the locations adjacent or perpendicular to water or sewer utilities.

#### FBI Test Results

The FBI's metallurgical analysis determined that the fracture in the gas service line was caused by stress corrosion cracking (SCC), which is cracking induced from the combined effects of tensile stress and a corrosive medium. While the FBI determined that the tape found around the service fracture was consistent with tape that was designed for use on underground oil, natural gas, and plumbing industry pipelines, the FBI concluded that the tape probably had been applied incorrectly. FBI tests also showed that while the tape had not been used to attempt to seal an actual fracture, it had been applied after the original corrosion coating had degraded; the moisture held in by the tape led to the corrosion that contributed to the ultimate fracture.<sup>6</sup> The FBI identified no usable fingerprints from the pipe or the tape; the FBI was only able to determine from the DNA present that a male person had handled the tape.

#### LPI Analysis

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<sup>6</sup> The FBI report states, "[T]here was no indication that any cut or other mechanical damage contributed to the initiation of the fracture."

In addition to the replacement work performed in the Mayfair Development, 67 gas services in other parts of Horseheads were excavated and inspected as part of LPI's analysis. LPI found numerous instances of damage to pipe coating, loss of metal pipe wall thickness, deflections or sags over the length of the service line, and tape visually similar to that found at 198 Joseph Street throughout the Town and Village of Horseheads. All of this damage was in close proximity to where the gas service lines had been crossed by water and/or sewer lines. No such conditions were found at gas services not crossed by water and/or sewer lines. LPI recommended that NYSEG, in a timely manner, replace all 1 and 1- $\frac{1}{4}$  inch medium pressure steel services in the Town and Village of Horseheads that are adjacent or perpendicular to sewer and/or water utilities. Approximately 800 such gas services exist; NYSEG has so far replaced the approximately 140 services that the Company considered the most at-risk. While replacements have been discontinued due to frozen ground, NYSEG expects to resume the work as soon as conditions allow and to complete the work by August 2014.

#### Other Service Areas

In Staff's view, the likelihood exists that natural gas facilities in other parts of the State, installed before other underground utilities, may have been affected by subsequent excavations. Because of this possibility, NYSEG has begun to study its gas facilities in Elmira, Binghamton, Rochester, and Lockport.

Given the circumstances present in the specific Horseheads incident, given the age of gas services throughout New York State, and given the fact that other buried utility pipes often cross gas services, we will direct, through this

Order, that all Local Distribution Companies (LDCs) identify and assess the risks associated with excavations made in the past near or adjacent to their gas facilities. The LDCs are also directed to submit a plan to the Commission within six months of this order identifying such areas and describing plans to mitigate the risks identified.

The special assessment we are requiring here would apply to instances in each LDC's service territory where other underground utility pipes, e.g. water pipes or sewer pipes, had been installed subsequent to, and deeper than, existing gas facilities. Where, for instance, a utility identifies an historical pattern of leaks that the company remediated in certain areas, the areas should be the focus of, at least, more routine leakage surveys than our safety rules require until the risk is mitigated.<sup>7</sup> In the interim, gas utilities should also review their records of pipelines that have been exposed to ensure that they are accurate and complete.<sup>8</sup> Similarly, records indicating that damage may have occurred should be maintained and organized so they are readily available for efficient investigation and review by Gas Safety Staff.

Each LDC should report the results of its assessments to the Commission within 60 days of this order. The companies should then file a written action plan that has been reviewed by Gas Safety Staff 30 days thereafter.

Unreported Natural Gas Odors

During its investigation of 198 Joseph Street, Staff spoke with several of the immediate neighbors of that address

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<sup>7</sup> See 16 NYCRR §255.723[gas facilities must be leak surveyed once every three years].

<sup>8</sup> See 16 NYCRR §255.616[gas utilities required to maintain records of exposed facilities].

who had noticed odors in the hours before the incident; some associating the odor with natural gas, some not. None of these neighbors notified NYSEG. The Chemung County Sheriff's investigation included that other individuals had noticed natural gas odors. While all of these persons claimed to have noticed the natural gas odors on other streets in the vicinity of Joseph Street prior to the incident, none of them notified NYSEG.<sup>9</sup>

NYSEG did receive and investigate one gas odor report at about 1:30 a.m. on the day of the incident, from 31 Lorraine Boulevard, three streets away from the explosion site. NYSEG responded and found a small outside gas leak at the building next door. During an interview after the explosion, the resident of 31 Lorraine Boulevard told Staff that he had reported to NYSEG a "very strong" natural gas odor, while the NYSEG gas fitter who responded to the call stated he smelled no gas odor when he was at the location.<sup>10</sup>

Due to the nature of how natural gas vents to the atmosphere and how odorization dissipates over distances, Staff

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<sup>9</sup> One person reported an odor on Blostein Boulevard, which backs up to Joseph Street, about an hour prior to the explosion. Another reported noticing a "rotten egg" odor on Clair Boulevard, two streets over, sometime between 8:30 and 9:00 AM on the morning of the incident. Another reported smelling an odor of natural gas on South Center Street at approximately 6:00 AM the morning of the incident. Yet another reported observing a gas odor one week earlier, on January 16, 2011 on Grand Central Avenue. These locations are to the west, north and east of 198 Joseph Street.

<sup>10</sup> NYSEG claims it had "a technical issue" with its recording systems at the time of this call and, therefore, does not have an audio recording of it. Gas utilities are not now obligated to record telephonic reports of natural gas odors; therefore Staff's ability to confirm the resident's recollection of the odor hampered Staff's investigation.

believes no basis existed for the NYSEG repairman who responded to the Lorraine Boulevard call to extend his investigation to Joseph Street three blocks away. Therefore, Staff believes that NYSEG's response to the Lorraine Boulevard leak was not a contributing factor in the 198 Joseph Street explosion.<sup>11</sup>

Public Information Programs

Shortly after the incident, the Office of Consumer Policy, with assistance from the Office of Electric, Gas and Water, reviewed the gas safety outreach and education programs of NYSEG and all major New York State gas utilities. The Office of Consumer Policy reviewed the outreach programs to identify best practices and opportunities for improvement.<sup>12</sup> At that time, NYSEG's gas safety outreach and education program included;

- Bill inserts and messages;
- Printed gas safety messages on the outside of outgoing and return envelopes;
- For customers who pay their bill online, the bill inserts and messages were available to the customer when they pay their bill;
- Website information including gas usage and safety information such as how to recognize a natural gas leak and what to do if you smell gas.

The Staff review found that NYSEG should improve its gas safety outreach and education program in the following respects:

- Provide information on gas safety to new NYSEG customers, within 30 days of service initiation. This information

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<sup>11</sup> That being said, given that gas utilities are able to audio record and maintain telephonic gas odor reports, gas utilities will now be required to do so.

<sup>12</sup> Case 11-G-0282 - New York State Department of Public Service Staff's Analysis of Gas Local Distribution Companies' Gas Safety Outreach and Education Programs.

includes an odorant ("scratch and sniff") card which identifies the smell of natural gas and explains what customers should do if they smell natural gas;

- Enhance gas safety information to customers paying online including making it easy for such customers to order an odorant card;
- Providing gas safety information in multiple languages;
- Enhance the visibility and accessibility of gas safety information on the Company's website, by making it available within a single "click" from the homepage.

In May 2011, the Department advised NYSEG of the need to make these improvements to its gas safety informational program. OCP provided an informational report on these issues at the June 2011 Session.

NYSEG has implemented these steps and has also continued to conduct radio and print advertising. It has distributed bill inserts describing the smell of natural gas and including the odorant brochure as well as describing the steps to take if the odor is detected, including: avoiding a possible ignition source, leaving the building and calling NYSEG from a neighbor's phone, and not assuming somebody else will do so. NYSEG also increased public awareness to homeowners, contractors, and Villages and Towns about calling 811 (Dig Safely New York) prior to performing excavations in order to prevent damage to buried facilities.

Because discrete areas in Horseheads remain in need of repair/remediation, in the coming months NYSEG shall provide customers in these affected areas with individual notice that is not included with bills, to reinforce the need for residents to call NYSEG in the event they smell gas.

Moreover, given the public's apparent reluctance to report gas odors and the potential existence of gas facilities

impacted in ways similar to those discovered in Horseheads, by this order, we are initiating a collaborative of all gas utilities to develop "best practices" for continuing public education on reporting natural gas odors. The LDCs should report back to the Commission within 60 days of this order identifying concrete improvements they will make to their public outreach programs.<sup>13</sup>

As part of the LDC collaborative, gas utilities shall identify new opportunities for reaching out to additional local governmental entities, either in conjunction with the State's one-call notification systems (Dig Safely New York and New York 811) or other stakeholders, to educate local governments on the potential hazards associated with excavations near gas facilities.<sup>14</sup> In particular, the LDCs should identify forums other than their current routine training programs to educate regional and local governments that conduct excavation work that, among other safety requirements, (1) it is unlawful for their excavator(s) to backfill near buried facilities that excavators have contacted or damaged until the utility inspects the area and makes the necessary repair; (2) no one but the utility may attempt to repair gas services unless the utility specifically authorizes the third-party to do so (16 NYCRR

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<sup>13</sup> Notwithstanding these efforts, and based upon the failure of so many residents to report the smell of natural gas prior to the 198 Joseph Street explosion, NYSEG is required to address the benefits of hiring an outside expert to assist and advise the Company on improvements to its public information program. Changes may be needed in the content of the message and its delivery methods, including the use of social media and other newer technologies.

<sup>14</sup> Damage Prevention rules currently require the one call notification systems to train local governments on excavation practices and use of the one-call system. 16 NYCRR §753-5.3.

§753.3-10(d)) and (3) failure to comply with 16 NYCRR §753-3.13 is subject to enforcement.<sup>15</sup>

CONCLUSION

A need to assess possible risks associated with gas facilities in New York State exists, particularly with respect to facilities that are adjacent or perpendicular to water and sewer utilities. The 198 Joseph Street incident highlighted the need as well for more robust public awareness of how vital it is that natural gas odors be reported to utilities.

The Commission orders:

1. New York State Gas & Electric Corporation shall submit within 21 days of the date of this order a written action plan describing its replacement of the remaining gas services in the Town and Village of Horseheads that have been identified as needing replacement.

2. New York State Gas & Electric Corporation shall complete the replacement of the remaining unremediated Horseheads facilities by August 2014.

3. New York State Gas & Electric Corporation shall provide monthly progress reports to Gas Safety Staff until replacement of the remaining unremediated Horseheads facilities is completed.

4. New York State Gas & Electric Corporation shall conduct continuous leakage surveys in the Town and Village of Horseheads until the remaining gas service replacements are completed.

5. New York State Gas & Electric Corporation shall continue its public outreach efforts in the Horseheads area, particularly in the areas identified as being at increased risk.

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<sup>15</sup> Public Service Law §119-b.

New York State Gas & Electric Corporation shall focus such outreach to customers and all buildings adjacent to these customers in or near at-risk areas.

6. New York State Gas & Electric Corporation shall provide customers near to the Horseheads gas facilities that remain in need of mitigation in the Town and Village of Horseheads individual notice, which is not included with bills, that reinforces the need to report natural gas odors to the utility.

7. New York State Gas & Electric Corporation shall address the benefits of hiring an outside expert to assist and advise the Company on improvements to its public information program, which shall be submitted with the 60 day public outreach improvement report due pursuant to ordering clause 15.

8. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company shall perform, in consultation with Staff, a risk assessment of their entire distribution system during which each will identify if conditions similar to those found in Horseheads are present or are likely to exist, primarily where nearby third-party excavations occurred subsequent to, and beneath or adjacent to, gas facility installations. These risk assessments shall be

completed within six months and filed with the Secretary to the Commission.

9. If the required risk assessment in ordering clause 8 indicates similar issues to those in Horseheads exist in the service territories of New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company each company shall develop, in consultation with Staff, and submit to Gas Safety within 30 days of the submission of their risk assessment required in Ordering Clause 8 an action plan for addressing such risks.

10. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company are ordered to follow their action plans for mitigating the identified risks after those plans have been reviewed by Gas Safety. The LDCs shall provide

monthly progress reports to Gas Safety until the risk assessment and any necessary remedial work that results is completed.

11. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company shall review all company records of exposed pipelines to ensure that they are accurate and complete.

12. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company shall maintain all records indicating that damage may have occurred to facilities in an organized system that is readily available for Staff review.

13. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution

Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company shall conduct a collaborate to develop "best practices" for continuing public education on reporting natural gas odors.

14. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company shall include in the collaborative an exploration of new ways to reach local governmental entities to educate them on the potential hazards associated with excavations near gas facilities.

15. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, and Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company shall report in a filing to the Secretary to the Commission the results of the

public and local government outreach collaborative, including concrete improvements each utility will make to increase customer understanding of the need to report gas odors and the new steps each utility will take to educate local governments about excavation practices within 90 days of the date of this order.

16. New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Corning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, and Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company are required to make and retain audio recordings of telephonic gas odor reports.

17. This Order is adopted on an emergency basis, in accordance with State Administrative Procedure Act §202(6).

18. The Secretary in her sole discretion may extend the deadlines set forth in this order, provided the request for such extension is in writing, includes a justification for the extension, and is filed on a timely basis, which should be on at least one day's notice prior to any affected deadline.

19. This proceeding is continued.

By the Commission,

KATHLEEN H. BURGESS  
Secretary